Case 10-35811 Document 2 Filed in TXSB on 07/06/10 Page 1 of 7

B22A (Official Form 22A) (Chapter 7) (04/10)

In re	Renato Briana Celeste Renato Anthony DePaolis, II	According to the information required to be entered on this statement			
	Debtor(s)	(check one box as directed in Part I, III, or VI of this statement):			
Case Number: (If known)		☐ The presumption arises.			
		■ The presumption does not arise.			
		☐ The presumption is temporarily inapplicable.			

CHAPTER 7 STATEMENT OF CURRENT MONTHLY INCOME AND MEANS-TEST CALCULATION

In addition to Schedules I and J, this statement must be completed by every individual chapter 7 debtor, whether or not filing jointly. Unless the exclusion in Line 1C applies, joint debtors may complete a single statement. If the exclusion in Line 1C applies, each joint filer must complete a separate statement.

	Part I. MILITARY AND NON-CONSUMER DEBTORS
1A	Disabled Veterans. If you are a disabled veteran described in the Declaration in this Part IA, (1) check the box at the beginning of the Declaration, (2) check the box for "The presumption does not arise" at the top of this statement, and (3) complete the verification in Part VIII. Do not complete any of the remaining parts of this statement.
	□ Declaration of Disabled Veteran. By checking this box, I declare under penalty of perjury that I am a disabled veteran (as defined in 38 U.S.C. § 3741(1)) whose indebtedness occurred primarily during a period in which I was on active duty (as defined in 10 U.S.C. § 101(d)(1)) or while I was performing a homeland defense activity (as defined in 32 U.S.C. §901(1)).
1B	Non-consumer Debtors. If your debts are not primarily consumer debts, check the box below and complete the verification in Part VIII. Do not complete any of the remaining parts of this statement.
	☐ Declaration of non-consumer debts. By checking this box, I declare that my debts are not primarily consumer debts.
	Reservists and National Guard Members; active duty or homeland defense activity. Members of a reserve component of the Armed Forces and members of the National Guard who were called to active duty (as defined in 10 U.S.C. § 101(d)(1)) after September 11, 2001, for a period of at least 90 days, or who have performed homeland defense activity (as defined in 32 U.S.C. § 901(1)) for a period of at least 90 days, are excluded from all forms of means testing during the time of active duty or homeland defense activity and for 540 days thereafter (the "exclusion period"). If you qualify for this temporary exclusion, (1) check the appropriate boxes and complete any required information in the Declaration of Reservists and National Guard Members below, (2) check the box for "The presumption is temporarily inapplicable" at the top of this statement, and (3) complete the verification in Part VIII. During your exclusion period you are not required to complete the balance of this form, but you must complete the form no later than 14 days after the date on which your exclusion period ends, unless the time for filing a motion raising the means test presumption expires in your case before your exclusion period ends.
1C	□ Declaration of Reservists and National Guard Members. By checking this box and making the appropriate entries below, I declare that I am eligible for a temporary exclusion from means testing because, as a member of a reserve component of the Armed Forces or the National Guard
	a. I was called to active duty after September 11, 2001, for a period of at least 90 days and I remain on active duty /or/ I was released from active duty on, which is less than 540 days before this bankruptcy case was filed;
	OR
	 b. ☐ I am performing homeland defense activity for a period of at least 90 days /or/ ☐ I performed homeland defense activity for a period of at least 90 days, terminating on, which is less than 540 days before this bankruptcy case was filed.

	Part II. CALCULATION OF MONTHLY INCOME FOR § 707(b)(7)	EXCLUSION		
	Marital/filing status. Check the box that applies and complete the balance of this part of this	stateme	ent as directed.		
	a. Unmarried. Complete only Column A ("Debtor's Income") for Lines 3-11.				ı, c :
	b. \square Married, not filing jointly, with declaration of separate households. By checking this be "My spouse and I are legally separated under applicable non-bankruptcy law or my spous				
2	purpose of evading the requirements of § 707(b)(2)(A) of the Bankruptcy Code." Compl				
	for Lines 3-11.				
	c. \square Married, not filing jointly, without the declaration of separate households set out in Lin	e 2.b a	bove. Complete b	oth	Column A
	("Debtor's Income") and Column B ("Spouse's Income") for Lines 3-11.	D (110		•	
	d. Married, filing jointly. Complete both Column A ("Debtor's Income") and Column All figures must reflect average monthly income received from all sources, derived during the			ior	
	calendar months prior to filing the bankruptcy case, ending on the last day of the month before		Column A		Column B
	the filing. If the amount of monthly income varied during the six months, you must divide the		Debtor's		Spouse's
	six-month total by six, and enter the result on the appropriate line.		Income		Income
3	Gross wages, salary, tips, bonuses, overtime, commissions.	\$	900.83	\$	0.00
	Income from the operation of a business, profession or farm. Subtract Line b from Line a	and			
	enter the difference in the appropriate column(s) of Line 4. If you operate more than one business, profession or farm, enter aggregate numbers and provide details on an attachment. Description of the control of the	10			
	not enter a number less than zero. Do not include any part of the business expenses entered				
4	Line b as a deduction in Part V.				
	Debtor Spouse				
		.00			
	c. Business income Subtract Line b from Line a	.00	0.00	\$	0.00
	Rents and other real property income. Subtract Line b from Line a and enter the difference			Ψ	
	the appropriate column(s) of Line 5. Do not enter a number less than zero. Do not include a				
_	part of the operating expenses entered on Line b as a deduction in Part V.				
5	Debtor Spouse	00			
		.00			
	c. Rent and other real property income Subtract Line b from Line a	\$	0.00	\$	0.00
6	Interest, dividends, and royalties.	\$	0.00	\$	0.00
7	Pension and retirement income.	\$			0.00
	Any amounts paid by another person or entity, on a regular basis, for the household	Ψ	0.00	Ψ	0.00
8	expenses of the debtor or the debtor's dependents, including child support paid for that				
Ü	purpose. Do not include alimony or separate maintenance payments or amounts paid by your	¢.	0.00	d.	0.00
	spouse if Column B is completed.	\$	0.00	2	0.00
	Unemployment compensation. Enter the amount in the appropriate column(s) of Line 9. However, if you contend that unemployment compensation received by you or your spouse was	as a			
0	benefit under the Social Security Act, do not list the amount of such compensation in Column				
9	or B, but instead state the amount in the space below:				
	Unemployment compensation claimed to				
	To de content and of the social security received	.00 \$	0.00	\$	0.00
	Income from all other sources. Specify source and amount. If necessary, list additional sour				
	on a separate page. Do not include alimony or separate maintenance payments paid by you spouse if Column B is completed, but include all other payments of alimony or separate	ır			
	maintenance. Do not include any benefits received under the Social Security Act or payments	,			
10	received as a victim of a war crime, crime against humanity, or as a victim of international or				
10	domestic terrorism. Debtor Spouse				
	a. \$ \$ \$	\dashv			
	b. \$ \$				
	Total and enter on Line 10	\$	0.00	\$	0.00
11	Subtotal of Current Monthly Income for § 707(b)(7). Add Lines 3 thru 10 in Column A, an				
11	Column B is completed, add Lines 3 through 10 in Column B. Enter the total(s).	\$	900.83	\$	0.00

12	Total Current Monthly Income for § 707(b)(7). If Column B has been completed, add Line 11, Column A to Line 11, Column B, and enter the total. If Column B has not been completed, enter the amount from Line 11, Column A.		900.83			
	Part III. APPLICATION OF § 707(b)(7) EXCLUSION					
13	Annualized Current Monthly Income for § 707(b)(7). Multiply the amount from Line 12 by the number 12 and enter the result.	\$	10,809.96			
14	Applicable median family income. Enter the median family income for the applicable state and household size. (This information is available by family size at www.usdoj.gov/ust/ or from the clerk of the bankruptcy court.)					
	a. Enter debtor's state of residence: TX b. Enter debtor's household size: 5	\$	73,645.00			
	Application of Section 707(b)(7). Check the applicable box and proceed as directed.					
15	■ The amount on Line 13 is less than or equal to the amount on Line 14. Check the box for "The presumption does not arise" at the top of page 1 of this statement, and complete Part VIII; do not complete Parts IV, V, VI or VII.					
	☐ The amount on Line 13 is more than the amount on Line 14. Complete the remaining parts of this statement.					

Complete Parts IV, V, VI, and VII of this statement only if required. (See Line 15.)

D AND GAY GAY ATTON OF GAYDDENIEN COMPANY AND GOART FOR & FOR (A)					
Part IV. CALCULATION OF CURRENT MONTHLY INCOME FOR § 707(b)(2)					
16 Enter the amount from Line 12.			\$		
Marital adjustment. If you checked the box at Line 2.c, enter on Line 17 the total of any income listed in Line 11, Column B that was NOT paid on a regular basis for the household expenses of the debtor or the debtor's dependents. Specify in the lines below the basis for excluding the Column B income (such as payment of the spouse's tax liability or the spouse's support of persons other than the debtor or the debtor's dependents) and the amount of income devoted to each purpose. If necessary, list additional adjustments on a separate page. If you did not check box at Line 2.c, enter zero.					
	a.	\$			
	b. c.	\$ \$			
	d.	\$			
	Total and enter on Line 17	<u> </u>	\$		
18	Current monthly income for § 707(b)(2). Subtract Line 17 from Line 16 and enter the result.	\$		
Part V. CALCULATION OF DEDUCTIONS FROM INCOME Subpart A: Deductions under Standards of the Internal Revenue Service (IRS)					
19A	National Standards: food, clothing and other items. Enter in Line 19A the "Total" amount from IRS National Standards for Food, Clothing and Other Items for the applicable household size. (This information is available at www.usdoj.gov/ust/ or from the clerk of the bankruptcy court.)				
19B	National Standards: health care. Enter in Line a1 below the amount from IRS National Standards for Out-of-Pocket Health Care for persons under 65 years of age, and in Line a2 the IRS National Standards for Out-of-Pocket Health Care for persons 65 years of age or older. (This information is available at www.usdoj.gov/ust/ or from the clerk of the bankruptcy court.) Enter in Line b1 the number of members of your household who are under 65 years of age, and enter in Line b2 the number of members of your household who are 65 years of age or older. (The total number of household members must be the same as the number stated in Line				
	a1. Allowance per member	a2. Allowance per member			
	b1. Number of members	b2. Number of members			
	c1. Subtotal c2. Subtotal \$				
20A	Local Standards: housing and utilities; non-mortgage expenses. Enter the amount of the IRS Housing and Utilities Standards; non-mortgage expenses for the applicable county and household size. (This information is available at www.usdoj.gov/ust/ or from the clerk of the bankruptcy court).				

20B	Local Standards: housing and utilities; mortgage/rent expense. Enter, in Line a bel Housing and Utilities Standards; mortgage/rent expense for your county and household available at www.usdoj.gov/ust/ or from the clerk of the bankruptcy court); enter on Li Monthly Payments for any debts secured by your home, as stated in Line 42; subtract I the result in Line 20B. Do not enter an amount less than zero. a. IRS Housing and Utilities Standards; mortgage/rental expense \$ b. Average Monthly Payment for any debts secured by your home, if any, as stated in Line 42 c. Net mortgage/rental expense Subtract Line I	\$	
21	Local Standards: housing and utilities; adjustment. If you contend that the process 20B does not accurately compute the allowance to which you are entitled under the IR Standards, enter any additional amount to which you contend you are entitled, and stat contention in the space below:	\$	
22A	Local Standards: transportation; vehicle operation/public transportation expense. You are entitled to an expense allowance in this category regardless of whether you pay vehicle and regardless of whether you use public transportation. Check the number of vehicles for which you pay the operating expenses or for which the included as a contribution to your household expenses in Line 8. 10 1 2 or more. If you checked 0, enter on Line 22A the "Public Transportation" amount from IRS Local Transportation. If you checked 1 or 2 or more, enter on Line 22A the "Operating Costs Standards: Transportation for the applicable number of vehicles in the applicable Metric Census Region. (These amounts are available at www.usdoj.gov/ust/ or from the clerk	\$	
22B	Local Standards: transportation; additional public transportation expense. If you for a vehicle and also use public transportation, and you contend that you are entitled t you public transportation expenses, enter on Line 22B the "Public Transportation" amount Standards: Transportation. (This amount is available at www.usdoj.gov/ust/ or from the court.)	\$	
23	Local Standards: transportation ownership/lease expense; Vehicle 1. Check the nuryou claim an ownership/lease expense. (You may not claim an ownership/lease expense vehicles.) □ 1 □ 2 or more. Enter, in Line a below, the "Ownership Costs" for "One Car" from the IRS Local Stan (available at www.usdoj.gov/ust/ or from the clerk of the bankruptcy court); enter in Line Monthly Payments for any debts secured by Vehicle 1, as stated in Line 42; subtract Line result in Line 23. Do not enter an amount less than zero. a. IRS Transportation Standards, Ownership Costs Average Monthly Payment for any debts secured by Vehicle b. 1, as stated in Line 42 c. Net ownership/lease expense for Vehicle 1 Subtract Line b		
24	C. Net ownership/lease expense for Vehicle 1 Subtract Line b	\$	
25	Other Necessary Expenses: taxes. Enter the total average monthly expense that you actually incur for all federal, state and local taxes, other than real estate and sales taxes, such as income taxes, self employment taxes, social security taxes, and Medicare taxes. Do not include real estate or sales taxes.		\$
26	Other Necessary Expenses: involuntary deductions for employment. Enter the total deductions that are required for your employment, such as retirement contributions, un Do not include discretionary amounts, such as voluntary 401(k) contributions.	\$	

27		average monthly premiums that you actually pay for term or insurance on your dependents, for whole life or for	\$
28	Other Necessary Expenses: court-ordered payments. pay pursuant to the order of a court or administrative aginclude payments on past due obligations included in	\$	
29	Other Necessary Expenses: education for employmenthe total average monthly amount that you actually expenducation that is required for a physically or mentally characteristic providing similar services is available.	\$	
30	Other Necessary Expenses: childcare. Enter the total childcare - such as baby-sitting, day care, nursery and processing the control of the co	average monthly amount that you actually expend on reschool. Do not include other educational payments.	\$
31	Other Necessary Expenses: health care. Enter the total health care that is required for the health and welfare of insurance or paid by a health savings account, and that i include payments for health insurance or health savings.	yourself or your dependents, that is not reimbursed by s in excess of the amount entered in Line 19B. Do not	\$
32		your basic home telephone and cell phone service - such as neternet service - to the extent necessary for your health and	\$
33	Total Expenses Allowed under IRS Standards. Enter	the total of Lines 19 through 32.	\$
	-	onal Living Expense Deductions penses that you have listed in Lines 19-32	
	Health Insurance, Disability Insurance, and Health S the categories set out in lines a-c below that are reasonal dependents.	avings Account Expenses. List the monthly expenses in bly necessary for yourself, your spouse, or your	
34	a. Health Insurance	\$	
	b. Disability Insurance	\$	
	c. Health Savings Account	\$	\$
	Total and enter on Line 34.		
	If you do not actually expend this total amount, state below: \$	your actual total average monthly expenditures in the space	
	Continued contributions to the care of household or f	'amily members. Enter the total average actual monthly	
35	expenses that you will continue to pay for the reasonable ill, or disabled member of your household or member of expenses.	e and necessary care and support of an elderly, chronically your immediate family who is unable to pay for such	\$
	Protection against family violence. Enter the total aver	age reasonably necessary monthly expenses that you	*
36		nder the Family Violence Prevention and Services Act or	\$
37	Home energy costs. Enter the total average monthly an Standards for Housing and Utilities, that you actually ex trustee with documentation of your actual expenses, a claimed is reasonable and necessary.	\$	
38	Education expenses for dependent children less than actually incur, not to exceed \$147.92* per child, for atters school by your dependent children less than 18 years of documentation of your actual expenses, and you must necessary and not already accounted for in the IRS S	\$	

^{*} Amount subject to adjustment on 4/01/13, and every three years thereafter with respect to casses commenced on or after the date of adjustment.

39	Additional food and clothing expense. Enter the total average monthly amount by which your food and clothing expenses exceed the combined allowances for food and clothing (apparel and services) in the IRS National Standards, not to exceed 5% of those combined allowances. (This information is available at www.usdoj.gov/ust/ or from the clerk of the bankruptcy court.) You must demonstrate that the additional amount claimed is reasonable and necessary.				\$		
40	Continued charitable contributions. Enter the amount that you will continue to contribute in the form of cash or			\$			
41	Tota	l Additional Expense Deduction	ons under § 707(b). Enter the total of l	Lines 34 th	rough 40		\$
			Subpart C: Deductions for De	ebt Payn	nent		
42	Future payments on secured claims. For each of your debts that is secured by an interest in property that you own, list the name of the creditor, identify the property securing the debt, and state the Average Monthly Payment, and check whether the payment includes taxes or insurance. The Average Monthly Payment is the total of all amounts scheduled as contractually due to each Secured Creditor in the 60 months following the filing of the bankruptcy case, divided by 60. If necessary, list additional entries on a separate page. Enter the total of the Average Monthly Payments on Line 42.						
	a.	Name of Creditor	Property Securing the Debt	\$	Payment	Does payment include taxes or insurance? □yes □no	
				Total:	Add Lines		\$
43	Other payments on secured claims. If any of debts listed in Line 42 are secured by your primary residence, a motor vehicle, or other property necessary for your support or the support of your dependents, you may include in your deduction 1/60th of any amount (the "cure amount") that you must pay the creditor in addition to the payments listed in Line 42, in order to maintain possession of the property. The cure amount would include any sums in default that must be paid in order to avoid repossession or foreclosure. List and total any such amounts in the following chart. If necessary, list additional entries on a separate page. Name of Creditor				\$		
44	Payments on prepetition priority claims. Enter the total amount, divided by 60, of all priority claims, such as priority tax, child support and alimony claims, for which you were liable at the time of your bankruptcy filing. Do not include current obligations, such as those set out in Line 28.				\$		
45	Chapter 13 administrative expenses. If you are eligible to file a case under Chapter 13, complete the following chart, multiply the amount in line a by the amount in line b, and enter the resulting administrative expense. a. Projected average monthly Chapter 13 plan payment. b. Current multiplier for your district as determined under schedules issued by the Executive Office for United States Trustees. (This information is available at www.usdoj.gov/ust/ or from the clerk of the bankruptcy court.) c. Average monthly administrative expense of Chapter 13 case Total: Multiply Lines a and b			\$			
46	Total Deductions for Debt Payment. Enter the total of Lines 42 through 45.			\$			
Subpart D: Total Deductions from Income							
47	Tota	l of all deductions allowed und	ler § 707(b)(2). Enter the total of Lines	33, 41, ar	nd 46.		\$
Part VI. DETERMINATION OF § 707(b)(2) PRESUMPTION							
48	Ente	er the amount from Line 18 (C	urrent monthly income for § 707(b)(2	3))			\$
49	Enter the amount from Line 47 (Total of all deductions allowed under § 707(b)(2))			\$			
50	Mon	thly disposable income under	§ 707(b)(2). Subtract Line 49 from Line	e 48 and e	nter the resu	lt.	\$
51	60-month disposable income under § 707(b)(2). Multiply the amount in Line 50 by the number 60 and enter the result.			\$			

	Initial presumption determination. Check the applicable box and proceed as directed.				
50	☐ The amount on Line 51 is less than \$7,025*. Check the box for "The presumption does not arise" at the top of page 1 of this statement, and complete the verification in Part VIII. Do not complete the remainder of Part VI.				
52	☐ The amount set forth on Line 51 is more than \$11,725* Check the box statement, and complete the verification in Part VIII. You may also complete	ox for "The presumption arises" at the top of page 1 of this			
	☐ The amount on Line 51 is at least \$7,025*, but not more than \$11,725				
53	Enter the amount of your total non-priority unsecured debt	\$			
54	Threshold debt payment amount. Multiply the amount in Line 53 by the	number 0.25 and enter the result. \$			
	Secondary presumption determination. Check the applicable box and pro-	oceed as directed.			
55	☐ The amount on Line 51 is less than the amount on Line 54. Check the of this statement, and complete the verification in Part VIII.				
	☐ The amount on Line 51 is equal to or greater than the amount on Line 54. Check the box for "The presumption arises" at the top of page 1 of this statement, and complete the verification in Part VIII. You may also complete Part VII.				
	Part VII. ADDITIONAL EXPE	ENSE CLAIMS			
56	Other Expenses. List and describe any monthly expenses, not otherwise stated in this form, that are required for the health and welfare of you and your family and that you contend should be an additional deduction from your current monthly income under § 707(b)(2)(A)(ii)(I). If necessary, list additional sources on a separate page. All figures should reflect your average monthly expense for each item. Total the expenses.				
	Expense Description	Monthly Amount			
	a.	\$			
	b.	\$			
	c.	\$			
	d.	\$			
	Total: Add Lines a, b, c, and	d \$			
	Part VIII. VERIFICA	TION			
	I declare under penalty of perjury that the information provided in this state must sign.) Date: July 6, 2010 Si	ement is true and correct. (If this is a joint case, both debtors ignature: /s/ Renato Briana Celeste Renato Briana Celeste			
57		(Debtor)			
	Date: July 6, 2010 Si	ignature /s/ Renato Anthony DePaolis, II Renato Anthony DePaolis, II (Joint Debtor, if any)			

^{*} Amounts are subject to adjustment on 4/01/13, and every three years thereafter with respect to cases commenced on or after the date of adjustment.